

APPENDIX A – 15

Response to Public Comments on Draft 2005 TIP



**METROPOLITAN TRANSPORTATION COMMISSION
2005 Transportation Improvement Program (TIP)
Response to Public Comments
Made at Public Hearing on June 9, 2004**

The following are responses to public testimony made on the Draft 2005 TIP at the public hearing on June 9, 2004. No comments were made regarding the Air Quality Conformity analysis for the TIP.

Comment: (David Schonbrunn, TRANSDEF). The widening of I-205 in San Joaquin County. They're apparently widening it from four to six lanes in an obvious attempt to force the Bay Area to widen from 205 into I-580 into Livermore and beyond. This is a very important interregional policy question that has never been addressed by your Commission. Along those lines, we know that the Commission operates within the interregional partnership. This has been something that has been very covert. I've attempted to get mailings from it and been essentially rejected, and I strongly recommend that you make a point of putting the interregional partnership documents on the website. But I call on you to have an agenda item on the issue of Altamont Pass, because we believe that bringing in more cars is a disastrous policy direction, and our RTP alternative is going to provide an alternative to autos commuting in from other counties.

Response: The I-205 Widening from I-580 to San Joaquin County line, ALA978028, is a project sponsored by the San Joaquin County Council of Governments, to be implemented by Caltrans District 10. For detailed information on individual projects, the particular project sponsor or lead implementing agency should be contacted directly.

The TIP is an extension of the Regional Transportation Plan (RTP). Phase one of the current RTP update, Transportation 2030, contains a transportation/land use platform that includes specific objectives to identify and address interregional corridors like I-580/Altamont pass. The Commission will be pursuing this agenda over the coming months.

The Interregional Partnership (IRP) is a cooperative of elected officials from five different Bay Area counties, plus three councils of governments (including ABAG). MTC does not manage the affairs of the IPR. Information about the IPR as well as meeting dates, agenda, meeting minutes are posted at the IRP website. <http://www.abag.ca.gov/planning/interregional/index.html>.

Comment: (David Schonbrunn, TRANSDEF). Vasco Road Safety Improvement Project. We want more of a project description on this particular project. We want to know is this part of an eventual capacity expansion. Is this a Trojan horse in the way that it's being designed, the safety improvements, or is this just a safety improvement, this isn't a buying right of way or planning to buy right of way for an expansion?

Response: The project description for the Vasco Road Safety Improvement Project states:

Livermore: On Vasco Road about 1.8 miles N. of Livermore to 1.6 miles South of CC County line; Realign roadway, provide standard shoulder widths & add truck-climbing lanes. (Total length of truck lanes is .9 miles).

The project description as stated is consistent with the Statewide TIP project description format. The existing roadway within the project limits has tight curves, inadequate sight distance and narrow shoulders. Because of this poor roadway geometric, transit does not serve this corridor. The project proposes to realign the roadway segment to eliminate tight curves and upgrade the roadway geometry to current highway standards. For detailed information on individual projects, the particular project sponsor or lead implementing agency should be contacted directly.

Comment: (David Schonbrunn, TRANSDEF). The Warm Strings Extension. That is shown as going to construction in fiscal '04-'05. We know for a funding from Measure B is contingent on full funding of the extension to San Jose. In the absence of that funding, it's obvious that this project cannot receive Measure B funding. It's not clear what other funding is available. And so we ask that this item be deleted.

Response: Programming of construction funds in fiscal years 2004-05 and 2005-06 was an error by the project sponsor and has been corrected.

Comment: (David Schonbrunn, TRANSDEF). The description of the VTA on page 101, it says, "If additional revenues are not secured within the next couple of years, VTA will be forced to cut service levels once again." At the bottom of page 102, it says, "VTA has the financial capacity to operate the existing level of service as long as additional downward adjustments can be made in service levels." Now, that's equivalent to saying, "Other than that, Mrs. Lincoln, how did you enjoy the play?" Your agency has an important role to intervene in bad decisions being made by your grantees, because MTC is going to end up having to clean up the mess afterwards. And I'm calling your attention to the preliminary engineering. Eighty-seven million dollars of sales tax funds are being proposed to be spent in FY '04 on environmental work. This is an agency that can't demonstrate that it's going to be able to continue operating. This is insane, just simply insane and your agency needs to intervene.

Response: The goal of the financial capacity assessment is to determine if transit operators can operate service during the first two years of the TIP. MTC is aware of VTA's financial status and based on an examination of the agency's plan to address its shortcomings, MTC is satisfied that the agency can operate transit service during fiscal year 2004-05 and 2005-06.

Comment: (David Schonbrunn, TRANSDEF). BART is in here for \$110 million for fare box gate for faregate fixing. Meanwhile, they have an enormous unfunded seismic retrofit. This is obscene. They are not taking care of basic safety, and they're spending 110 million dollars on fare gates. And this represents a bad allocation of resources.

Response: Transportation safety within the region is of paramount importance to MTC and its partners. MTC has allocated and will continue to allocate funds to safety improvement projects throughout the Bay Area.

BART's Automated Fare Collection (AFC) project is a project that began in 1995 with the last TIP funding programmed in FY 2003-04. The goal of the project was to replace or renovate old AFC equipment. MTC supports BART's decision to replace old and outdated fare gates, which were prone to malfunctions and consequently passenger delays and inconvenience. The project as listed has no funding in the triennial TIP period and is listed for information and accounting purposes only. The region is working with BART to develop funding strategies for the seismic retrofit project.

**METROPOLITAN TRANSPORTATION COMMISSION
2005 Transportation Improvement Program (TIP)
Response to Written Public Comments**

The following are responses to written public comments received during the Draft 2005 TIP public comment period, commencing May 14, 2004 and ending June 28, 2004. Comments received pertaining to the Air Quality Conformity Analysis for the Draft TIP have been incorporated into the Conformity analysis document.

Comment: (David Schonbrunn, TRANSDEF). The Financial Constraint Analysis appears to erroneously contain FTA Section 5309 New Starts funds in 2006-07, despite the fact that no TIP funds are shown for the BART SFO extension in that year. This same analysis amusingly charts funds from the "Inter-regional Transpiration Improvement Program (ITIP)."

Response: FTA Section 5309 New Start Funds shown in the 2005 TIP are fund estimates of revenues reasonably expected to be available based on historical data. No actual programming has been made against the fund source. The fund source is of course a congressional earmark. If none is received, no programming action will be taken. However, MTC is allowed to make reasonable estimates based on historical amounts.

Comment: (David Schonbrunn, TRANSDEF). Spellings in the TIP Projects listings are unreliable. Examples like "Daughtery Rd Improvements, Houston Place to I-580" and "Marin: US 101/Greenbrea" fail to inspire confidence that an adequate attention to detail has been exerted, thereby putting into question the validity of the funding numbers and the dollar totals. If the spelling hasn't been proofread, there is no reason to trust the numbers either.

Response: The comment is noted and further spell checks will be conducted.

Comment: (David Schonbrunn, TRANSDEF). We object to MTC having allowed BART to not make the funding of seismic retrofit its highest priority. Instead of protecting life safety, BART proposed, and MTC acquiesced, to replace fare gates instead, to the tune of \$110 million. In addition, the SFO extension consumed BART reserves and placed the system in deep debt. Both of these projects represent bad judgment. MTC needs to exercise its overall responsibility for the allocation of regional funds, especially where its grantees fail to be responsible themselves.

Response: Transportation safety within the region is of paramount importance to MTC and its partners. MTC has allocated and will continue to allocate funds to safety improvement projects throughout the Bay Area. Specifically, The region is working with BART to develop funding strategies for the seismic retrofit project.

BART's Automated Fare Collection (AFC) project is a project that began in 1995 with the last TIP funding programmed in FY 2003-04. The goal of the project was to replace or renovate old AFC equipment. MTC supports BART's decision to replace old and outdated fare gates, which

were prone to malfunctions and consequently passenger delays and inconvenience. The project as listed has no funding in the triennial TIP period and is listed for information and accounting purposes only.

Comment: (David Schonbrunn, TRANSDEF). Instead of building a Richmond BART parking structure, it would be more beneficial to regional traffic congestion to use those same funds to operate express buses and park and ride lots to serve the public that would otherwise drive to the BART station. Frequent service to outlying areas, as determined by survey of BART riders, coupled with a lack of parking, would shift users to the transit mode and reduce growth in VMT, thereby producing twice the benefits.

Response: The Richmond BART parking structure is an integral part of the Richmond Amtrak/BART intermodal transit village. A portion of the current BART parking will be incorporated into transit village, with a parking structure to be constructed on the remaining BART parking area to accommodate the parking lost to the transit village.

Furthermore, a survey of riders placed ample and convenient parking at BART stations (especially major end-of-the-line stations like the Richmond and Pittsburg/Bay Point Stations), as essential factors that encourage them to take BART. Before projects like the Richmond BART parking structure are undertaken, years of planning coupled with community input goes in the process to help determine if the project is necessary and needed. The Richmond BART parking structure will replace BART parking lost to the transit village, and include additional parking to address the overall parking needs for both BART and Amtrak riders.

Comment: (David Schonbrunn, TRANSDEF). The TIP entry for the BART Warm Springs Extension, ALA50015, impermissibly shows local sales tax money committed to construction in 2004-05 and 2005-06. This is not allowed by Measure B, which requires full funding of the San Jose extension before the release of construction funds. Clearly, that project has not been fully funded—even prior to admitting the cost of debt service and prior to the inevitable cost overruns. It has neither a TCRP allocation nor a FFGA. Is MTC proposing to have BATA release RM1 funds for construction of the extension prior to it being fully funded? If so, aren't those funds needed for cost overruns on bridge construction? Programming construction funds for the Warm Springs Extension is a serious mistake—it is throwing desperately needed money into a hole for a project with no independent utility. The region does not need to spend \$790 million to provide rapid transit to vacant industrial land, especially where there isn't even a commitment to meet the regional Land Use Platform standards now in development. This entry is the most egregious in the entire TIP document.

Response: Programming of construction funds in fiscal years 2004-05 and 2005-06 was an error by the project sponsor and has been corrected.

Comment: (David Schonbrunn, TRANSDEF). The assessment of VTA overall financial ability (last bullet on page 102) is ludicrous. It says "VTA has the financial capability to operate the existing level of service, as long as additional downward adjustments can be made in service levels or new revenue sources become available." In short, VTA does not have the financial capability to operate the existing level of service. The assessment conclusion should

state that, as the text at the bottom of page 101 actually did. The statement on page 102 about the sales tax being permanent is only partly correct. The tax passed in 2000 will sunset.

Response: The purpose of the financial capacity assessment and required finding is to determine if transit operators can operate service during the first two years of the TIP. MTC is aware of VTA's financial status and based on an examination of the agency's plan to address its financial situation, MTC is satisfied that the agency can operate transit service during fiscal years 2004-05 and 2005-06.

Comment: (David Schonbrunn, TRANSDEF). VTA has exhibited terrible judgment in borrowing money to fund the preliminary engineering for its ill-fated San Jose BART extension. The only justification for spending the money, other than the wounded pride of an agency unwilling to deal with reality, was the claim that it would be cheaper to do the engineering now and put it on the shelf for another ten or twenty years. This conclusion was possible only by ignoring the cost of debt service. By authorizing this expenditure by putting it in the TIP, MTC is abetting VTA in going forward with this irresponsible scheme. MTC thus accelerates the day when it will have to step in to save the passengers that depend on an agency dedicated to its own bankruptcy.

Response: BART to San Jose is listed in the TIP for environmental studies and preliminary engineering only and has been listed as such since January 2003. One of the criteria for a TIP project is that the project is fully funded as listed. It is permissible to include only the environmental phase in the TIP without construction funding, since the project is not fully defined until environmental approval. Environmental studies for the BART to San Jose project are fully funded and thus qualify to be listed in the TIP.

Comment: (David Schonbrunn, TRANSDEF). Please provide further detail as to the design for the Vasco Road Safety Improvements, ALA030002. The project description is unclear as to whether the safety improvements are being designed in such a manner as to serve as the first phase of an eventual growth-inducing road widening project. While we support safety improvements, we would object vigorously if this project were, in fact, a Trojan horse for a future widening project.

Response: The project description for the Vasco Road Safety Improvement Project states:

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Comment: (David Schonbrunn, TRANSDEF). The I-205 Widening from I-580 to San Joaquin County line, ALA978028, is a project with serious interregional impacts. What regional concerns went into the project's approval? Is this a widening of the gateway into the Bay Area? Is it part of a plan to create a bottleneck that in turn creates the political demand for further widening? It is unclear from the project description whether the project is within Alameda or

San Joaquin counties. Please clarify why San Joaquin would be funding a project outside its boundaries. While MTC has begun discussion of such issues by joining in an Interregional Partnership, the documents of that Partnership have been impossible to obtain. TRANSDEF called and requested to be placed on its mailing list, but never received any mail. All documents produced by the Partnership need to be made available on MTC's website. In addition, the Planning and Operations Committee needs to agendize a policy discussion about managing the gateways to the region. In the absence of firm policy, the likely outcome of the status quo will be creeping widening, as is apparently represented by this project. Any gains made by MTC on the congestion problems of the region stand to be reversed by growing traffic entering the region as a consequence of the absence of a firm MTC interregional policy. The Mid-State Tollway Policy is still the gold standard of a successful MTC policy. Further work is needed to live up to that standard.

Response: The I-205 Widening from I-580 to San Joaquin County line, ALA978028, is a project sponsored by the San Joaquin County Council of Governments, to be implemented by Caltrans District 10. For detailed information on individual projects, the particular project sponsor or lead implementing agency should be contacted directly.

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